

REMARKS

Claims 1, 6-9, and 12 have been amended. Reexamination and reconsideration are respectfully requested.

Initially, the Examiner rejected claims 12-14 under 35 U.S.C. §101. Accordingly, Applicants have amended independent method claim 12 to clearly relate the claimed method steps to the use of the server in conjunction with the database technology recited in the claims. Hence, Applicants submit claims 12-14 now define patentable subject matter.

In the Office Action, claims 1-12 and 15-18 were rejected as being anticipated by FRANKLAND et al. (US 2002/0026339 A1). Further, claims 13-14 were rejected as obvious over FRANKLAND in view of FASCA (US 2002/0065581 A1). Applicants respectfully traverse these rejections in view of the amendments made with respect to the independent claims and the following remarks.

In particular, Applicants have amended each of independent claims 1, 6, 7, 8 and 9 to define a “server” which performs the various functions specified in the claims. As these independent claims now require a server that performs the defined functions, it is respectfully submitted that the claims are patentable over FRANKLAND et al.

Indeed, FRANKLAND et al. merely describes an integrated change management unit that includes one or more databases. FRANKLAND does not disclose or suggest the use of Applicants’ claimed server performing the specified functions recited in Applicants’ claims. Accordingly, as Applicants have now

amended the independent claims such that the specified functions must be given patentable weight, it is respectfully submitted that these claims define over FRANKLAND et al, whether taken alone or in view of FASCA. In that regard, FASCA merely describes an emissions management and policy making system and does not teach or suggest Applicants' claimed invention.


In view of the foregoing, Applicants submit claims 1-18 are now in condition for allowance. An early notice to that effect is solicited.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #381HI/50780).

Respectfully submitted,

December 28, 2004


Jeffrey D. Sanok
Registration No. 32,169

CROWELL & MORING LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844

JDS:pct
353669